

# How a Story Becomes a Film

After writing and directing *The Delinquents* (1957) for Imperial Productions and directing a full-length documentary on James Dean that was released the same year, Altman spent the next decade directing television shows. But he reentered the movie arena when he filmed *Countdown* for a studio (1967), and then adopted a more independent approach to creating a film version of the book *That Cold Day in the Park* (1969), negotiating for film rights himself and creating a joint venture company with Donald Factor (son of makeup mogul Max Factor).



Photograph on the set of *That Cold Day in the Park*. Robert Altman with Sandy Dennis and Michael Burns.

**JOINT VENTURE AGREEMENT**

The following will outline the basic terms upon which DONALD FACTOR (herein called "Factor") and ROBERT ALTMAN (herein called "Altman"), have agreed to associate themselves in a joint venture to produce a motion picture based upon the published story written by Richard Miles entitled "THAT COLD DAY IN THE PARK." The photoplay may be produced in England or any other place as may be mutually agreed upon.

**1. Name:** The name of the Venture shall be FACTOR-ALTMAN PRODUCTIONS, INC.

**2. Project:** The parties intend to engage in the production of a feature length motion picture photoplay based upon the published story written by Richard Miles entitled "THAT COLD DAY IN THE PARK."

**3. Term:** The term of the Venture shall be deemed to commence on April 1, 1967, and if a photoplay is not delivered to the distributor within the period, if any, as may be agreed upon by the parties, the Venture shall terminate.

**4. Rights Acquired by Venture:** Altman has obtained the exclusive worldwide motion picture rights to said published story for a total purchase price of \$1,000 pursuant to Option Agreement dated March 13, 1967, as amended and as extended by A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.

**5. Factor individually and he shall be free to undertake the production of the picture or the exploitation of the rights on his own behalf, upon the express condition, however, that if Factor thereafter sells or otherwise disposes of the rights or if he produces or makes a deal for the production of a motion picture based upon the aforesaid story, he agrees to pay Altman 25% of all profits he derives therefrom together with 25% of any production fee or other fee he receives.**

**6. Each party may assign their respective interests in this Venture to a corporation owned or controlled by him, in which event the corporations shall be substituted in place of the individuals as parties to this Venture.**

**7. The parties shall do or perform all acts and execute all documents reasonably necessary to carry out the purposes and intent of this agreement.**

Dated: May 1, 1967.

Donald Factor  
Robert Altman

April 25, 1967

Mr. Richard Miles  
c/o Gordon Molson Associates Agency  
9418 Wilshire Boulevard  
Beverly Hills, California

Dear Mr. Miles:

Re: THAT COLD DAY IN THE PARK

In consideration of an immediate payment of \$500.00, you have agreed to grant me the right to further extend my option for an additional year beyond the present two year period, for the sum of \$2,000.00 payable at the time I exercise the option for the additional third year.

It is understood that all option payments will apply against the total purchase price of \$30,000.00.

I agree to engage a writer to do a screenplay which shall be completed no later than the end of the second year of my option period.

I trust this fully represents our understanding. Please indicate your acceptance by signing below.

Very truly yours,  
Robert Altman

Agreed to and accepted:  
Richard Miles

May 1, 1967

Miss Gillian Freeman  
H. N. Swanson, Inc.  
8523 Sunset Boulevard  
Los Angeles, California 90069

Dear Miss Freeman:

This will set forth our agreement:

1. We hereby employ you to write on a flat deal basis, a first draft screenplay and revisions thereto suitable as the basis for a feature length motion picture photoplay based upon the published story entitled "THAT COLD DAY IN THE PARK." Your services shall be rendered in accordance with our directions and in consultation with Robert Altman and with Donald Factor.

2. You agree to render your services exclusively for us throughout the term of your employment in accordance with the terms hereof, and to keep and perform all of your obligations hereunder. The term of your employment shall commence on May 8, 1967, and shall continue until you have completed and delivered to us all of the written material and rendered all of the services required hereunder, unless sooner terminated in accordance with the provisions of this agreement.

(a) You agree to deliver to us the first draft screenplay not later than eight (8) weeks after the date upon which your services commence hereunder. During the writing of the screenplay you shall from time to time, upon our request, submit portions of your work to us and consult with us with regard to same.

(b) After delivery of the first draft screenplay, we shall have a period of two (2) weeks after the expiration of said eight (8) week period, within which to notify you of reasonable revisions which we may require; and you agree to make such revisions and deliver the screenplay so revised within four (4) weeks after you have received our request.

(c) We shall have the option to be exercised by us by written notice within four (4) weeks after delivery of the revised first draft screenplay, to engage you to render further services for us at a weekly salary rate of \$1500 per week. During said four-week period you may return to your home in England. If we exercise this option you agree to commence the rendition of your exclusive services for us (which services you may render in England) upon the date designated by us, which date shall in no event be later than the date of expiration of said four (4) week period; provided, however, that your obligation to render your services exclusively for us after a period of six (6) consecutive weeks shall be subject to your other prior professional commitments.

"Joint Venture Agreement" between Donald Factor and Robert Altman detailing how they will create a film of *That Cold Day in the Park* with Factor as producer and Altman as director, May 1967.

Agreement between Robert Altman and Richard Miles, author of *That Cold Day in the Park*, granting an extension of an option on the book to Altman, April 25, 1967.

Contract with Gillian Freeman to write the screenplay for *That Cold Day in the Park*, May 1, 1967.